

SUMMARY SHEET
School Facilities Commission Meeting
April 20, 2009

ITEM: Sweetwater 2 (Green River) - Approval of Leases

BACKGROUND INFORMATION:

Legislation from the 2009 General Session amended W.S. 21-3-110. The amended statute now exempts Developmental preschools and BOCES from the requirement of a "triple-net" lease when they locate in a closed or surplus facility. The amended statute also exempts from the "triple-net" lease requirement a lease by or with any nonprofit or governmental agency providing educational programs which have been approved by the Department of Education, the Department of Health or another state or educational credentialing agency. The legislation became effective immediately upon the Governor's signature which was received on February 24, 2009. The leases are subject to review by the school facilities Commission under W.S. 21-15-115.

Sweetwater 2 is seeking approval to revise the current leases with CDC, Head Start and Family Resource to charge no rental or a "zero" fee. Sweetwater 2 is also seeking to reimburse CDC, Head Start and Family Resource for rental fees received by the district since July 1, 2008.

RECOMMENDATION:

The leases as presented by the district bear the following important notations by Wyoming state agencies:

Sweetwater County Child Development Center: Approved by Wyo. Dept. of Health, Early Intervention and Education Program Manager, 9/2/08.

Head Start: Unapproved by Wyoming Department of Education, Bruce Hayes, 9/12/08.

Sweetwater Family Resource Center: Unapproved by Wyoming Department of Education, 9/12/08.

W.S. 21-3-110, as amended, allows "zero rental" leases to only certain qualifying entities. Head Start and Sweetwater Family Resource Center have not been approved by the Department of Education and do not appear to qualify for a "zero rental" lease under the amended statute.

The district also seeks permission to reimburse the three entities for rental fees received since July 1, 2008. *If the district chooses to reimburse the three entities with its own funds, that is not a matter for the Commission. However no Commission funds may be*

used to reimburse either the District or any of the three entities for rental fees received since July 1, 2008.

It appears that only the lease with Sweetwater County Child Development Center qualifies for a "zero rental" lease, and only after February 24, 2009. The Commission does have the authority to approve such a lease.

It is the recommendation of the Staff that the Commission approve this single "zero rental" lease as the lease appears to comply with the intent of the amended legislation.

SUGGESTED MOTION(S):

Approve: I move the Commission grant the request of the District to renegotiate its lease with Sweetwater County Child Development Center to a "zero rental" lease for time periods after February 24, 2009. In all other respects regarding the District's requests, I move the Commission deny those requests.

Modification:



1920 Thomas Avenue, Suite 200
Cheyenne, WY 82002
(307) 777-8670
Fax (307) 777-8674
sfc@state.wy.us

**Wyoming School Facilities Commission
Leased Facility Notification for Approved Educational Programs**

Please complete the entire form when reporting information on facilities leased to/by the district for approved educational programs. Upon form completion, the educational program must be approved by an authorized state agency as listed in W.S. 21-15-109(c)(i)(B). Pursuant to W.S. 21-15-109(c)(i)(B), districts are required to maintain documentation subject to SFC audit, as verification and assurance of the following:

1. Each applicable lease is by or with a nonprofit or governmental agency.
2. Programs provided in applicable leased space are approved by the Department of Education, Department of Health, or another state or educational credentialing agency.
3. Leased space is incorporated into the district's facility plans required under W.S. 21-15-116(a)(vi) and is approved by SFC.

This form must be signed by the district superintendent or designee as well as a representative from the credentialing agency and submitted to the SFC office. This form may be obtained on our website at www.sfc.state.wy.us

District Name: Sweetwater County School District NO. 2 Contact Phone: 307-872-5501
Contact Person: Craig Sorensen, Superintendent
Has the district received an SFC assigned building and site number for this facility? Yes
Building Name: Sweetwater County School District No. 2: Harrison ES-Harrison ES
Physical Address: 1825 Alabama Drive
Green River, WY 82935
Site Number: 1902-003 Building Number: 1902-003-0100 Leased Sq/Ft: 1,800
☐ District is Lessee ☒ District is Lessor For School Year: _____

Please describe the educational program that will utilize this space:

Head Start is a federally funded family service program that provides preschool to children whose parents meet federal poverty guidelines. They provided comprehensive education, health, nutrition, and parent involvement services.

This request has been approved by the following agency:

- ☐ Department of Education - Gerald Maas (307) 777-6282 or Bruce Hayes (307) 777-6198
☒ Department of Health
☐ Other Credentialing State Agency _____

I hereby certify that the above information is complete and accurate to the best of my knowledge.

Craig Sorensen
Signature of District Superintendent or Designee

8/26/09
Date

June Smith
Signature of Credentialing State Agency

8/22/08
Date

For Office Use Only

Signature of SFC Director or Designee

Approved: _____

Denied: _____

Date: _____



DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR
CHILDREN AND FAMILIES

Region VIII
Federal Office Building
1981 Stout Street
Denver, CO 80294-3538

JUN 26 2008

Dr. Michael Sutphin, M.D.
Board of Directors, Chairperson
Sweetwater County School District #1 Head Start
P. O. Box 1089
Rock Springs, Wyoming 82902

RECEIVED

APR 15 2009

SCHOOL DISTRICT #2

SUBJECT: Grant#: 08CH0104/17
Budget Period: 07/01/08 - 06/30/09
Project: Head Start

Dear Dr. Sutphin:

We are pleased to inform you that your grant application has been approved to assist you in financing the Head Start program referred to in the enclosed Financial Assistance Award (FAA). This grant action awards partial funding of FY 2008 PA 22 Head Start continuation funds in the amount of \$345,922 and full funding of FY 2008 PA 20 Head Start continuation funds in the amount of \$14,550. The remaining funds will be awarded when funds become available to the Regional Office. The approved annual FY 2008 funds are as follows: PA 22 - \$752,004 and PA 20 - \$14,550. The Head Start funded enrollment is 120.

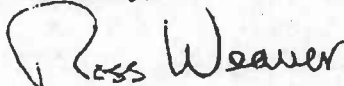
The HHS GPS (II-56) and Parts 74.25(c)(2) and 92.30(d)(3) (as applicable) provide the authority to ACF to approve Key Staff of Head Start Grantees. For the purposes of this grant key staff is defined as the Head Start Director or person carrying out the duties of the Head Start Director if not under that title and the Chief Executive Officer, Executive Director and/or Chief Fiscal Officer if any of those positions is funded either directly or through indirect cost recovery more than 50% with Head Start funds.

The attachments to the FAA provide instructions pertinent to the administration of your grant. Please send all correspondence and reports related to your grant to the Office of Financial Operations. The Financial Status Reports (SF-269s) are due 30 days after the end of the second and fourth quarter of the budget period (every six months). Final SF-269s are required within 90 days after the end of the budget period. Instructions for preparing the SF-269s are in ACYF-PI-90-06, issued March 6, 1990, to all Head Start grantees and delegate agencies, and also on the backside of the SF-269s. Please use the current version (Rev. 7-97 long form) found at <http://www.whitehouse.gov/omb/grants/sf269.pdf> when reporting SF-269s.


Dr. Sutphin, Page 2

Please refer to the above referenced grant number in all correspondence pertaining to this FAA. If you have any questions regarding this grant award, please contact your Program Specialist, Cheryl Lutz, at (303) 844-1171.

Sincerely,



Ross Weaver
Regional Program Manager
Office of Head Start, Region VIII



Jeff Newton
Regional Grants Officer
Office of Grants Management, Region VIII

Enclosures

cc: David Hvidston, Executive Director
June Privitt, Head Start Director
Keni Hopkins, Fiscal Officer
Christi Gutierrez, Policy Council Chairperson

Sweetwater County School District No. 1

*The Office of Head Start acknowledges Sweetwater County School District No. 1's correction
of all previously identified noncompliances. Based on information gathered
during your most recent review, it was established that this program is now in full compliance
with all applicable Head Start Program Performance Standards,
laws, regulations, and policy requirements.*



HEAD START
CERTIFICATE OF
COMPLIANCE



Awarded: 2007

*Channell Wilkins
Director, Office of Head Start*